

302 KAR 20:230. Fee basis schedule.

RELATES TO: KRS Chapter 257

STATUTORY AUTHORITY: KRS 257.020, 257.030

NECESSITY, FUNCTION, AND CONFORMITY: To establish procedures for setting a fee basis schedule for the purpose of reimbursement payments to licensed and accredited veterinarians by the department for expenses incurred in performing the professional services mandated by the pseudorabies testing program as set out at 302 KAR 20:220.

Section 1. Definitions. (1) "Fee basis agreement" means the agreement between the state veterinarian and a licensed and accredited veterinarian establishing the rate of reimbursement for professional services performed in connection with the pseudorabies testing program.

(2) "Per head allowance" means the allowance or rate of reimbursement by the department for professional veterinarian services performed under the pseudorabies testing program which is based on the testing performed on each animal.

(3) "Stop fee" means the allowance or rate of reimbursement by the department for professional veterinarian services performed under the pseudorabies testing program based on each farm at which animals are tested.

Section 2. Contract for Fee Basis. Licensed and accredited veterinarians providing the professional services required by the pseudorabies testing program shall receive payment for professional services from the department at the rate specified in the fee basis agreement. The fee basis agreement may provide for a stop fee not to exceed twenty (20) dollars and a per head allowance not to exceed three (3) dollars.

Section 3. Reimbursement Due. The fee basis agreement shall provide that a claim for payment shall be submitted on a pseudorabies testing program statement of services performed. Further, the agreement shall provide that no payment for pseudorabies testing services shall be made until the appropriate pseudorabies test chart has been received and validated by the state veterinarian. All samples must be of test quality.

Section 4. The state veterinarian shall determine the terms and conditions of the fee basis agreement and shall determine the terms and conditions for participation of a licensed and accredited veterinarian in the agreement. The state veterinarian may suspend, terminate, deny or not renew a fee basis agreement when he has good cause to believe that the licensed and accredited veterinarian has:

- (1) Failed to perform services in a reasonably prudent and professional manner;
- (2) Misrepresented or concealed facts in order to receive or enable others to receive payments;
- (3) Misrepresented facts regarding animals tested or test results;
- (4) Failed to comply with the terms and conditions of the fee basis agreement; or
- (5) Submitted false or questionable requests for fee basis payments.

Section 5. Auditing Reporting. All participating veterinarians shall be required to maintain fiscal and service records and to provide records as may be determined necessary by the state veterinarian for the effective administration of the program. A participating veterinarian shall be required to make available upon request all professional service and financial records relating to the fee basis agreement to the Office of the State Veterinarian, Kentucky Department of Agriculture, its representatives or designees for auditing and monitoring purposes.

Section 6. Fee Basis Forms. A fee basis agreement and pseudorabies testing statement of services performed must be made on forms provided by the state veterinarian. The fee basis agreement and pseudorabies statement of professional services forms are incorporated by reference. The fee basis agreement and pseudorabies testing statement of services performed forms shall be for services performed on or after February 1, 1992, and may be obtained at the Office of the State Veterinarian, 100 Fair Oaks Lane, Frankfort, Kentucky 40601. The effective day of this administrative regulation shall be February 1, 1992. (18 Ky.R. 2070; Am. 2774; eff. 2-10-92.)